

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

ARTHUR REED,

Petitioner,

v.

WAYNE GAVIN, et al.,

Respondents.

Civil Action No. 3:13-CV-1712

(Judge Kosik)

FILED  
SCRANTON

JUL 19 2013

PER M. Z. P.  
DEPUTY CLERK

**ORDER**

AND NOW, this 19 day of July 2013, IT APPEARING TO THE COURT  
THAT:

(1) Petitioner, Arthur Reed, an inmate currently confined at SCI-Waymart, Waymart, Pennsylvania, initiated this action on June 21, 2013 by filing a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. (Doc. 1);

(2) According to the Petition, Petitioner was convicted of involuntary deviate sexual intercourse, corruption of minors, and indecent assault and sentenced to 11 to 22 years in the Court of Common Pleas of Philadelphia County<sup>1</sup>;

(3) Magistrate Judge Thomas M. Blewitt screened the case pursuant to Rule 4 ("Preliminary Consideration by the Judge") of the Rule Governing Section 2254 Cases in the United States District Court. 28 U.S.C. § 2254;

(4) On June 27, 2013, the Magistrate Judge issued a Report and Recommendation ("R&R") recommending that the petition be transferred to the United States District Court for the Eastern District of Pennsylvania;

(5) Pursuant to Local Rule 72.3, Petitioner was given fourteen (14) days, after being served with a copy of the Report and Recommendation, to make any objections to the Magistrate Judge's proposed findings, recommendations, or report. Petitioner failed to file objections.

<sup>1</sup>We note that Petitioner was convicted and sentenced in Philadelphia County Court which is located in the Eastern District of Pennsylvania.

AND, IT FURTHER APPEARING THAT:

(6) If no objections are filed to a Magistrate Judge's Report and Recommendation, the petitioner is not statutorily entitled to a de novo review of his claim. See 28 U.S.C. § 636(b)(1)(C); Thomas v. Arn, 474 U.S. 140, 150-153 (1985). Nonetheless, the usual practice of the district court is to give "reasoned consideration" to a magistrate judge's report prior to adopting it. See, Henderson v. Carlson, 812 F.2d 874, 878 (3d Cir. 1987);


(7) We have considered the Magistrate Judge's Report and concur with the recommendation;

(8) The Petitioner was convicted and sentenced in the Court of Common Pleas of Philadelphia County, which is located in the Eastern District of Pennsylvania. In the interest of justice, and in accordance with 28 U.S.C. §2241(d), we find it is appropriate to transfer this Petition to the Eastern District of Pennsylvania.

ACCORDINGLY, IT IS HEREBY ORDERED THAT:

(1) The Report and Recommendation of Magistrate Thomas M. Blewitt dated June 27, 2013 (Doc. 3) is **ADOPTED**; and

(2) The Clerk of Court is directed to **TRANSFER** this case to the United States District Court for the Eastern District of Pennsylvania, and to **FORWARD** a copy of this Order to the Magistrate Judge.

  
\_\_\_\_\_  
Edwin M. Kosik  
United States District Judge